

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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CAROLYN GREENE, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:03-cv-12628 (NG)

RELATED ACTIONS:

1:04-cv-10046 (NG)

1:04-cv-10055 (NG)

1:04-cv-10065 (NG)

1:04-cv-10077 (NG)

1:04-cv-10078 (NG)

1:04-cv-10090 (NG)

1:04-cv-10144 (NG)

1:04-cv-10155 (NG)

1:04-cv-10179 (NG)

1:04-cv-10189 (NG)

1:04-cv-10190 (NG)

1:04-cv-10202 (NG)

JOHN G. ESPOSITO, JR., Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:04-cv-10013 (NG)

JOSEPH L. KING, Individually and On Behalf of All  
Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:04-cv-10038 (NG)

**MOTION OF THE HOMEYER GROUP FOR CONSOLIDATION, APPOINTMENT OF  
LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF  
CO-LEAD COUNSEL AND LIAISON COUNSEL**

William E. Homeyer, Jr., William Kim, Gernot Buerger, Thomas Echlin, and Richard M. Acuna (collectively, the "Homeyer Group" or "Movants"), by their counsel, hereby move this Court for an Order: (i) consolidating the above-captioned actions; (ii) appointing the Homeyer Group as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA"); and (iii) approving the Homeyer Group's selection of Milberg Weiss Bershad Hynes & Lerach LLP and Rabin, Murray & Frank LLP as Co-Lead Counsel, and Moulton & Gans, P.C. as Liaison Counsel of the actions, pursuant to the PSLRA. In support of this Motion, Movants submit herewith a Memorandum of Law, a Declaration, and a [Proposed] Order.

**REQUEST FOR ORAL ARGUMENT**

Movants respectfully request oral argument on this motion.

DATED: March 1, 2004  
Boston, Massachusetts

Respectfully submitted:

**MOULTON & GANS, P.C.**

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***Proposed Liaison Counsel***

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail (by hand) on 3/1/04

Nancy Freeman Gans (auth)

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***Proposed Co-Lead Counsel***

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***Attorney for Plaintiff***